MCI Docket No. COS98044
NP Docket No. 742435-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Patent Application of:	)	Group Art Unit: 3621
Curtis T. COMBAR et al.	)	Examiner: J. Hayes
Application No. 09/159,404	)	Confirmation No. 5086
Filed: September 24, 1998	)	
For: **INTEGRATED PROXY INTERFACE FOR WEB BASED DATA MANAGEMENT REPORTS**	)	April 26, 2004

APPEAL BRIEF

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Commissioner for Patents
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Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed February 25, 2004.

I. REAL PARTY IN INTEREST

MCI is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

U.S. Patent Application Serial No. 09/159,503 (Supplemental Brief filed January 26, 2004) is a related application mentioned in the present specification, which may directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF THE CLAIMS

Claims 1-19 are pending. This Appeal is taken from the final rejection of claims 1-19.

IV. STATUS OF AMENDMENTS

Further to the November 25, 2003 final rejection, Appellants submitted an Amendment After-Final on January 26, 2004. Page 3 of the Advisory Action of February 18, 2004 (the last sentence) indicated that the Amendment would be entered only if the application was appealed, while page 2 of the Advisory Action indicated the opposite. Based upon a brief telephone discussion with the Examiner (and a follow-up Supplemental Advisory of April 16, 2004), the Amendment of January 26, 2004 will be entered.

Furthermore, in reviewing the claims in preparation of this Brief, Appellants noted typographical errors and informalities in the claims and submit herewith an amendment to correct these errors and informalities. Appellants respectfully request entry of the amendment since no new issues are raised, and the amendment merely clarifies the claims. Accordingly, the present Appeal (and the claims as listed in the APPENDIX) is taken based on the claims as amended herewith.

V. SUMMARY OF THE INVENTION

Systems and methods consistent with the principles of the invention are directed to an Internet-based, telecommunications network data management presentation and reporting service provided for customers of telecommunications services. An exemplary configuration is illustrated, for example, in Fig. 2.

Current telecommunications service entities provide for the presentation and dissemination of customer account information via computer dial-up (modem) or via dedicated communication lines (e.g., ISDN, T-1, etc.). The requests are processed by the service entity's application servers that retrieve requested information from one or more databases for downloading to a client's computer workstation. Some types of data (call detail data) is associated with a customer's telecommunication traffic. For example, an MCI ServiceView product is provided for customers that have systems that include several client-server based data management applications. One application can provide un-priced call detail data relating to toll-free networks. While generally effective, the current data management and presentation architecture is limited in that reports generated are of a narrow view and are delivered at predetermined times and in predetermined formats (see p. 3, lines 1-5 of the present application). Additionally, there are currently a wide variety of independent data management tools and reporting systems having disparate systems and infrastructures providing little cross application interoperability and data sharing.

Thus, the present invention is provided in response to the need for a web-based client server application that quickly and in real time provides customers with information relating to their telecommunications usage in a variety of detailed report formats.

Fig. 2 depicts an overview of the system of the present invention. A Web/Internet based reporting system for communicating call detail information relating to traffic pertaining to a customer's telecommunications network to a client workstation via an integrated interface is shown.

The system includes a client browser application located at the client workstation for enabling interactive Web-based communications with the reporting system, the client workstation 14 identified with a customer and providing the integrated interface (see, for example, page 11, line 28, through page 12, line 30). The present invention also employs at least one secure server 26 for managing client sessions over the Internet. The secure server

26 supports a secure socket connection enabling encrypted communication between the browser application client and the secure server (see, for example, page 17, line 19, to page 18, line 10).

A report manager server 32 is in communication with the secure server for maintaining an inventory of reporting items associated with a customer (see, for example page 19, lines 3-23). The reporting items can comprise report data types as well as report customization features for reports to be generated for the customer (see, for example page 21, lines 17-27). The present invention also includes a data retrieval device 34 for retrieving customer specific data from the customer's telecommunications network at pre-determined times (see, for example, page 41, lines 15-30).

The present invention also includes a requestor application 212 enabling the customer to communicate a data report request message via the integrated interface to the report manager server (see, for example, page 35, lines 1-11 and page 38, line 3, to page 39, line 2). The request message is verified to ensure valid formatting. The request message includes a metadata description of particular reporting items to be retrieved (see, for example page 40, line 18 to page 41, line 14). The metadata description of particular reporting items are verified and forwarded to the retrieval device. The retrieval device obtains customer specific data in accordance with the metadata request (see, for example, page 68, line 16 to page 70, line 4).

The customer-specific retrieved data and the metadata description of the reporting item are communicated to the client workstation and utilized to generate a completed report for presentation to the customer. The completed report is capable of being dynamically determined based on the metadata and one or more of customization options and user options (see, for example, page 39, line 1 to page 41, line 15; and page 73, line 28 to page 75, line 32).

As indicated on page 40, line 18 of the present specification, by associating report data with a metadata report description object, reports can be presented without report-specific presentation code. Additionally, by using a metadata messaging format throughout the system (page 87, lines 21-23), data can be transmitted asynchronously, synchronously or in bulk (page 93), thereby increasing the effective speed of the reporting system in general.

VI. THE APPLIED REFERENCES

The applied references are:

1) U.S. Patent No. 5,958,016 to Chang et al. (hereinafter "Chang");
2) U.S. Patent No. 5,825,769 to O'Reilly
3) U.S. Patent No. 6,240,450 to Sharples et al. (hereinafter "Sharples")

VII. ISSUES

The issues on appeal are whether:

Claims 1-4, 7-17 and 19 are unpatentable under 35 U.S.C. §103(a) over Chang in view of O'Reilly; and whether

Claims 5, 6 and 18 are unpatentable under 35 U.S.C. § 103(a) over Chang and O'Reilly and further in view of Sharples.

VIII. GROUPING OF THE CLAIMS

For convenience in handling of this Appeal, the claims will be addressed in three groups as follows:

Group I. Claims 1-7, 11-16 and 19; and

Group II. Claims 8-10

Group III. Claims 17 and 18

Thus, pursuant to 37 C.F.R. §1.192(c)(7), in this Appeal, the rejected claims will stand or fall together only within each group.

IX. ARGUMENTS

I. The Rejection of Claims 1-4, 7-17 and 19 Under 35 U.S.C. § 103(a) Over Chang in Viewof O'Reilly Should Be REVERSED.

To establish a prima facie case of obviousness, (1) there must be some suggestion or motivation (either in the references themselves or in the knowledge generally available to one of ordinary skill in the art) to combine the reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art references when combined must teach or suggest

all claim limitations. See MPEP § 2142-2143.

The final Office Action, dated November 25, 2003, continues to reject claims 1-4, 7-17 and 19 as being unpatentable under 35 U.S.C. § 103(a) over Chang in view of O'Reilly. More specifically, the final rejection alleges that Chang teaches many aspects of the presently claimed invention and that the teachings of the O'Reilly patent, when combined with the teachings of the Chang patent, solve any deficiencies in the Chang patent.

Referring to the current rejection, Appellants submit that, even if the references can be combined as the Examiner alleges, the prior art references do not teach or suggest all claim features, and thus submit that the rejection of the claims is not proper and should be withdrawn.

The References, Even if Combined in the Manner Offered by the Examiner, Do Not Teach or Suggest All Claimed Features.

Appellant submits that neither the Chang patent nor O'Reilly patent reasonably teach or suggest the Web/Internet based reporting system as set forth in claims 1-4, 7-11 and the method of communicating call detail information as set forth in claims 12-17 and 19.

The system of claim 1 is set forth in part, as follows:

> ...said **request message comprising a metadata description of particular reporting items to be retrieved,** said metadata description of particular reporting items being verified and forwarded to said retrieval device, and said retrieval device obtaining customer specific data in accordance with the metadata request,
>
> whereby **said customer-specific retrieved data and said metadata description of said reporting item are communicated to said client workstation and utilized to generate a completed report for presentation to said customer,** the completed report capable of being dynamically determined based on the metadata and one or more of customization options and user options. (emphasis added)

Similarly claim 12 sets forth, in part:

> generating a corresponding **response message including a metadata description of said reporting items** for a requested report;
>
> verifying the request message to ensure valid formatting,

> **retrieving said customer-specific data from said customer's telecommunications network in accordance with said reporting items included in said metadata description**; and
>
> generating a completed report for said customer from said metadata description of said reporting items and said retrieved customer-specific data via said integrated interface, the completed report capable of being dynamically determined based on the metadata and one or more of customization options and user options. (emphasis added)

The Chang patent, on the other hand, is directed to a web page interface that enables subscriber access to control and reporting functionalities of a communication network. The Chang telephone network is disclosed generally in FIG, 2 which shows a terminal 29 coupled to a platform 25 via the Internet 27. The platform enables anyone using terminal 29 to obtain information, from operators, relating to the telephone network. As indicated in column 12, lines 50-56, the network utilizes data packet protocols to communicate data messages between various nodes coupled to the network (e.g., TCP/IP). Once the user gains access to the system (through various security protocols), a subscriber accessible database is provided so that the subscriber can review and/or change service control information. As described, starting in column 22, line 33, the user can access various reports regarding usage of services.

The O'Reilly patent is directed to a system and method for view, in real time, call traffic of a telecommunications network. As illustrated in FIG. 1, a TRAFFICVIEW server (TVS) system 16 is illustrated. As discussed in column 1, starting at line 63, the TVS system provides reporting either hourly, daily, weekly or monthly depending on the instructions placed by a subscriber.

1. Neither Chang or O'Reilly Disclose or Suggest a Metadata Description of Particular Reporting Items

The final Office Action of November 25, 2003 indicates that Chang teaches that a user can enter a request by clicking on text or icons or by sending typed inputs to a server, and that this meets the language of the present claims since the text, icons or typed inputs would be data that describes a type of data desired by the user. The Examiner's initial

position is affirmed in the Advisory Action dated February 18, 2004. Several areas of the Chang specification are provided to support the Examiner's position.

For example, the Examiner provided a citation of column 7, lines 5-12 of Chang for support which states as follows:

> Several vendors also now offer a `Web-TV` terminal device for coupling to a television set, to provide web browsing and other Internet services using a remote control and a television screen. While viewing pages using either type of terminal, the user can enter requests by clicking on text or icons or can send typed inputs to a server....

Appellants, however, submit that this excerpt of Chang only indicates that requests can be initiated by clicking icons or sending typed inputs to a server. Appellants further point out that an icon is merely a pointer to a location in memory where a command or set of commands is located. Thus, Appellants submit that there is no teaching of messages comprising metadata descriptions of particular reporting items, as recited in claim 1 or a message including a metadata description of said reporting items, as recited in claim 12.

The Office Action purports to provide further support for the rejection in column 20, lines 39-46 of Chang, which states as follows:

> The proxy server 523 transmits that page to the subscriber's terminal device 29 through the router 510 and the public packet switched data network 27. The terminal 29 presents the HTML page as a template with one or more boxes for the user to fill in with the necessary information. The subscriber inputs the requested further information on the page, and the terminal device transmits the information as an HTTP message through the Internet 27 for verification;

This excerpt appears to indicate that the user can input data for transmission via the Internet. However, Appellants submit that there is no teaching of messages comprising metadata descriptions of particular reporting items, as recited in claim 1 or message including a metadata description of said reporting items, as recited in claim 12.

The Examiner, in the Final Office Action again reiterates his contention by pointing to column 21, lines 4-10 of Chang which states:

> The subscriber also can type in specific detailed information in fields of the service control template(s). When the subscriber completes any such input, the browser 293 in the terminal 29 transmits the input information back through the Internet 27 to the proxy server 523. If the

> input information is `legal,` the proxy server 523 forwards the information in appropriate form to the application server 527;

This excerpt shows only that the user can input data for transmission via the Internet and that there is some type of verification of the data. However, Appellants again submit that there is no disclosure of messages comprising metadata descriptions of particular reporting items, as recited in claim 1 or message including a metadata description of said reporting items, as recited in claim 12.

The Office Action purportedly provides additional support for the rejection in column 23, lines 10-15 which states:

> In response to other inputs from the subscriber, the WSMS 255 also collects service reporting information relating to switch based features. The WSMS may collect AMA records or station message detail recording (SMDR) reports. In the illustrated example, the WSMS 255 communicates through the OSN 21 with the Revenue Accounting Office (RAO) 235, to obtain information relating to a customer's billing account.

Once again, this excerpt shows only that the user can input data for transmission via the Internet and that there is some sort of verification that takes place. Again, there is no teaching of messages comprising metadata descriptions of particular reporting items, as recited in claim 1 or message including a metadata description of said reporting items, as recited in claim 12. In conclusion, each of the above noted citations provided by the Examiner does not disclose metadata descriptions of particular reporting items.

Based upon the Examiner's repeated references to similar aspects shown in the Chang patent, Appellants submit that the Examiner's interpretation of "metadata descriptions" is incorrect. The Examiner appears to have rejected of this feature of the presently claimed invention based solely upon a dictionary definition of "metadata." In the Final Office Action, and again in the Advisory Action, the Examiner refers to the definition of "metadata" as set forth in the Microsoft Press, Third Edition, "Computer Dictionary." The definition, in its entirety, states: **"Data about data. For example, the title, subject, author and size of a file constitute meta data about the file."** Appellants respectfully submit that the Examiner has improperly construed the definition of metadata when interpreting the meaning of "metadata descriptions" in view of the present invention.

Appellants submit that the Examiner erred in not also considering the meaning of metadata descriptions as set forth within the specification. While the ordinary meaning of "metadata" is useful to know, the present specification provides a specific context and purpose for the use of metadata descriptors in messaging. *See Quantum Corp. v. Rodime*, PLC, 65 F.3d 1577, 1580, 36 USPQ2d 1162, 1165 ("[T]he words of a claim will be given their ordinary meaning to one of ordinary skill in the art unless the inventor appeared to use them differently"). Appellants respectfully submit that the specification sets forth on page 32, line 12, that a "[r]equest messages received by the RM server are translated into a 'metadata' format and validated by a parser object built into a report manager proxy 250 that services requests that arrive from a GUI front end." Additionally, as described on page 40, the specification states: At one level, these metadata descriptions function like the catalog in a relational database..." On page 41 the specification indicates that "[m]etadata descriptions may be used to provide common data export and data printing services." Furthermore, messages in a metadata format showing metadata syntax are shown for example, on pages 73-76. Bridging pages 76 and 77 various fields of the metadata message is shown.

Thus, while some of the citations within Chang show the input and transmission of data, there is no discussion or hint that metadata descriptions of particular reporting items are set forth within the messages. The Examiner's apparent solution to this is to essentially ignore the meaning of metadata descriptions as provided within the specification. This is not permissible and, therefore, the rejection is improper and must be withdrawn

Neither Chang nor O'Reilly Disclose or Suggest that the Customer-Specific Retrieved Data and the Metadata Description of the Reporting Item are Communicated to the Client Workstation and Utilized to Generate a Completed Report

Appellants submit that neither the Chang nor the O'Reilly reference disclose or suggest customer-specific retrieved data and said metadata description of said reporting item are communicated to said client workstation and utilized to generate a completed report as variously recited in independent claims 1 and 12. Appellants respectfully submit that since, as argued above, metadata descriptions is not disclosed in Chang or O'Reilly that the customer-specific retrieved data and said metadata description of said reporting item are

communicated to said client workstation, is also not disclosed. Thus, Appellants respectfully request reconsideration and withdrawal of the rejection.

II. The Rejection of Claims 8-10 Under 35 U.S.C. § 103(a) Over Chang and O'Reilly Should Be REVERSED.

Dependent claim 8 sets forth that said customer specific data information relates to unpriced traffic call detail data. Neither Chang nor O'Reilly appear to differentiate between priced and unpriced traffic call detail data and no specific recitation has been provide by the Examiner to support this rejection. Thus, Appellants respectfully submit that neither Chang nor O'Reilly disclose the ability to include unpriced traffic call detail data as customer specific data information and request reconsideration and withdrawal of the rejection..

III. The Rejection of Claims 17 and 18 Under 35 U.S.C. § 103(a) Over Chang and O'Reilly Should Be REVERSED.

Dependent claim 17 sets forth the step of scheduling the generation of a report for said customer via said integrated interface, said scheduling step including storing reporting items included in a **prior** created metadata report description and retrieving customer-specific data for generation of a report according to the stored reporting items at the scheduled time.

Neither Chang nor O'Reilly appear to disclose the storage of reporting items included in a prior created metadata report description much less retrieving customer-specific data for generation of a report according to the stored reporting items at the scheduled time. Furthermore, no specific recitation has been provide by the Examiner to support this rejection. Accordingly, Appellants respectfully request reconsideration and withdrawal of the rejection.

X. CONCLUSION

Thus, at least for the foregoing reasons, the cited references do not render obvious the claimed invention. Reconsideration and withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

For all of the reasons discussed above, it is respectfully submitted that all claims 1-19 define patentable subject matter under 35 U.S.C. §103. Accordingly, Appellant respectfully requests this Honorable Board to reverse the rejection of claims 1-19.

Respectfully submitted,

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APPENDIX
(Based on Amendment filed with Appeal Brief)

1. A Web/Internet based reporting system for communicating call detail information relating to traffic pertaining to a customer's telecommunications network to a client workstation via an integrated interface, said system comprising:

client browser application located at said client workstation for enabling interactive Web based communications with said reporting system, said client workstation identified with a customer and providing said integrated interface;

at least one secure server for managing client sessions over the internet, said secure server supporting a secure socket connection enabling encrypted communication between said browser application client and said secure server;

a report manager server in communication with said at least one secure server for maintaining an inventory of reporting items associated with a customer, the reporting items comprising report data types and report customization features for reports to be generated for the customer;

a data retrieval device for retrieving customer specific data from the customer's telecommunications network at pre-determined times; and,

a requestor application enabling the customer to communicate a data report request message via said integrated interface to the report manager server, the request message being verified to ensure valid formatting,

said request message comprising a metadata description of particular reporting items to be retrieved, said metadata description of particular reporting items being verified and forwarded to said retrieval device, and said retrieval device obtaining customer specific data in accordance with the metadata request,

whereby said customer-specific retrieved data and said metadata description of said reporting item are communicated to said client workstation and utilized to generate a completed report for presentation to said customer, the completed report capable of being dynamically determined based on the metadata and one or more of customization options and user options.

2. The reporting system as claimed in claim 1, wherein said requestor application for enabling initiation of a communication further enables presentation of a report request menu comprising user selectable reporting options for said customer report in accordance with predetermined customer entitlements.

3. The reporting system as claimed in claim 2, wherein said requestor application further enables user selection of one or more specific reporting options for a desired report, and in response, generates said report request message for communication over a secure communications link via said at least one secure server to said report manager server.

4. The reporting system as claimed in claim 1, wherein said data retrieval device includes a process for obtaining call detail information generated from a telecommunications network switch provided within said customer's telecommunications network.

5. The reporting system as claimed in Claim 4, wherein a requestor applet further enables customer scheduling of report request metadata descriptions to be communicated from said report manager to said retrieval device at a customer-specified frequency.

6. The reporting system as claimed in claim 5, wherein said secure web server further generates report requestor applets for communication over said secure communications link to said client workstation, one of said requestor applets capable of presenting said reporting items to a customer via said report requestor application.

7. The reporting system as claimed in claim 1, wherein said customer specific data information relates to a customer's telecommunication network usage at user-specified time intervals.

8. The reporting system as claimed in claim 1, wherein said customer specific data information relates to unpriced traffic call detail data.

9. The reporting system as claimed in claim 8, wherein said retrieval device includes a process for generating statistical data based on retrieved customer-specific call detail data.

10. The reporting system as claimed in claim 9, wherein said retrieval device communicates call detail data in real-time to said client workstation over said secure communication link.

11. The reporting system as claimed in claim 1, further including a report viewing device associated with said client workstation for receiving said metadata description of a requested report type and corresponding retrieved customer specific data, and generating said report for display at said interface.

12. A method for communicating call detail information relating to traffic pertaining to a customer's telecommunications network to a client workstation via an integrated interface, said method comprising:

enabling interactive Web based communications between said client workstation identified with a customer and one or more secure servers over a secure communications link, said Web based communications including forwarding of report request messages and associated report response messages back over said secure communications link;

accessing reporting items based on a customer entitlement information for a requested report to be generated;

generating a corresponding response message including a metadata description of said reporting items for a requested report;

verifying the request message to ensure valid formatting,

retrieving said customer-specific data from said customer's telecommunications network in accordance with said reporting items included in said metadata description; and

generating a completed report for said customer from said metadata description of said reporting items and said retrieved customer-specific data via said integrated interface,

the completed report capable of being dynamically determined based on the metadata and one or more of customization options and user options.

13. The method as claimed in claim 12, further including the step of presenting a report request menu comprising various reporting options for said customer in accordance with predetermined customer entitlements, said reporting options including report creation and customization of said reporting items.

14. The method as claimed in claim 13, further including the step of generating a report request message in response to user selection of a specific report option for communication over said secure communications link, and communicating a response message over said communications link for display at said client workstation.

15. The method as claimed in claim 14, wherein said step of retrieving customer-specific data includes the step of polling said telecommunications network to obtain call detail records pertaining to a customer's telecommunications traffic.

16. The method as claimed in claim 15, further including the step of specifying a polling interval for retrieving customer-specific data from said telecommunications network.

17. The method as claimed in claim 16, further including the step of scheduling the generation of a report for said customer via said integrated interface, said scheduling step including storing reporting items included in a prior created metadata report description and retrieving customer-specific data for generation of a report according to the stored reporting items at the scheduled time.

18. The method as claimed in claim 17, further including generating requestor applets for communication over said secure communications link to said client workstation, one of said applets presenting reporting items to a requesting customer via said interface.

19. The method as claimed in claim 12, further including the step of supporting

encrypted communication of report requested messages and report response messages between said client application and a secure server over said secure communications link.